

ENVIRONMENTAL PROTECTION COMMISSION[567]

Adopted and Filed Emergency After Notice

Pursuant to the authority of Iowa Code sections 455B.105(3) and 455B.198, the Environmental Protection Commission hereby amends Chapter 64, “Wastewater Construction and Operation Permits,” Iowa Administrative Code.

The purpose of this rule making is to renew General Permit No. 6, which continues to authorize the discharge of wastewater associated with well construction activities through the use of best management practices (BMPs) and requires the monitoring of the wastewater effluent to determine compliance with the state’s water quality standards.

Notice of Intended Action was published in the Iowa Administrative Bulletin on December 10, 2014, as **ARC 1757C**. A public hearing was held on January 6, 2015. No comments were received. This amendment is identical to that published under Notice of Intended Action.

Pursuant to Iowa Code section 17A.5(2)“b”(2), this amendment became effective March 1, 2015. This amendment sets an earlier effective date than the one established by Iowa Code section 17A.5(2) because the amendment confers a benefit or removes a restriction on the regulated public in that it prevents a lapse in general permit coverage for well construction and service activities that generate wastewater discharges to waters of the United States. If the general permit were to expire prior to renewal, these well services would not be possible during the period of March 1, 2015, to April 22, 2015 (the earliest possible effective date under normal rule-making procedures), as the issuance of an individual NPDES permit can take as long as six months to obtain for this type of activity.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 455B.198.

This amendment became effective March 1, 2015.

The following amendment is adopted.

Amend subrule 64.15(6) as follows:

64.15(6) “Discharge Associated with Well Construction Activities,” NPDES General Permit No. 6, effective March ~~17, 2010~~ 1, 2015, to February 28, ~~2015~~ 2020.

[Filed Emergency After Notice 2/18/15, effective 3/1/15]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 3/18/15.